GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Commercial Tax Department - Allegations of corruption, harassment, indiscipline and abuse of official power by the officers and staff of Visakhapatnam-II Division - Common Disciplinary proceedings initiated under Rule 24 of A.P.C.S. (CC&A) Rules, 1991 - Articles of Charges issued - Inquiry Officer appointed – Inquiry report submitted and communicated - Certain charges proved - Imposed a penalty of stoppage of Four (4) annual grade increments with cumulative effect on Charged Officer Sri P.Prasanth Kumar, GSTO, O/o AC (ST), Anakapalli Circle Visakhapatnam-II Division - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.RT.No. 128 Dated: 17-02-2025

Read the following: -

1. Complaint received from Sri P.S.N.Sastry, Advocate through e-mail dt.01.12.2022.
2. G.O.Ms.No.02, Revenue (CT-II) Dept., dt.02.01.2023.
3. G.O.Rt.No.03, Revenue (CT-II) Dept., dt.02.01.2023.
4. G.O.Rt.No.159, Revenue (Vig.VI) Dept., dt.15.02.2023.
5. G.O.Rt.No.160, Revenue (Vig.VI) Dept., dt.15.02.2023.
6. Orders of Honorable High Court in W.P.No.5934 of 2023, dt.6.03.2023 filed by the C.O. Sri T.Someswara Rao, AEO, O/o.AC (ST), Airport Circle, Visakhapatnam.
7. G.O.Ms.No.175, Revenue (Vig.VI) Dept., dt.13.04.2023.
8. From the Addl.Commissioner (ST) & Inquiry Officer Report Ref.No. ROVJA/ 58/VIZ-ENO/2023, dt. 25.05.2023.
9. Orders of Honorable High Court of AP in WP No. 11972/2023, dt.05.05.2023 filed by Sri J. Dharma Paul, AEO.
10. From the CCST, Lr. Ref.No. V1/61/2023, dt.07.06.2023.
11. Govt.Memo.No.1926769-19021(42)/4/2022-2, dt.24.08.2023.
12. Representation of Sri P. Prasanth Kumar, GSTO, O/o.AC (ST), Anakapalli Circle Visakhapatnam-II Division, dt.28.10.2023.

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ORDER :-

Whereas, in the reference 1st read above, the complaint received from Sri P.S.N.Sastry, Advocate leveling certain allegations of corruption, harassment, indiscipline and abuse of official power by the officers and staff of Visakhapatnam-II Division. A preliminary enquiry was conducted by the Additional Commissioner (State Tax), R.O.Office, Visakhapatnam and prima face established, in the reference 2nd read above, Common disciplinary proceedings have been initiated against i) Sri M.Sudhakara Rao, Jt.Commr.(ST), Visakhapatnam-II Division, ii) Sri P.Jayasankar, Dy.Commr.(ST), O/o.Jt.Commr.(ST), Visakhapatnam-II Division; iii) Sri P.Prasanth Kumar, GSTO, O/o.AC(ST), Anakapalli Circle, Visakhapatnam-II Division (now u/s), iv) Sri J. Dharmapal, AEO, O/o.Jt.Commr. (State Tax), Visakhapatnam-II Division, (now u/s); and v) Sri T.Someswara Rao, AEO, O/o. Airport Circle, Visakhapatnam-II Division. In the reference 3rd read above, the articles of charges (5) have been framed against Sri P. Prasanth Kumar, GSTO, O/o. AC (ST), Anakapalli Circle, Visakhapatnam-II Division. The Charged Officer submitted the explanation and after examining the same, Government have appointed Sri S.E.Krishna Mohan Reddy, Addl.Commissioner O/o. CCST, A.P, as Inquiry Authority and Smt.G.Sumathi, Jt.Commissioner (ST), Kakinada as Presenting Officer vide references 4th and 5th read above respectively.

2. Whereas, as per the orders of Honorable High Court in W.P.No.5934/2023, dt.16.03.2023 and in W.P.No.11972/2023, dt.05.05.2023 Govt., have deleted the names of Sri T.Someswara Rao, AEO, O/o. the AC(ST), Airport Circle, Visakhapatnam and Sri Jammu Dharmapal, AEO O/o. Joint Commissioner ST, Visakhapatnam-II Division from the Common disciplinary proceedings issued in G.O.Ms.No.02, Revenue (CT-II) Dept., dt.02.01.2023 and separate action has been

(P.T.O)

initiated by issuing fresh article of charges against both the charged officers as per the directions of the Honorable Court.

3. Whereas, in the reference 8th read above, the Inquiry Officer Sri S.E.Krishna Mohan Reddy has submitted his inquiry report to Govt., for taking further necessary action. As per the findings of the inquiry report of the Inquiry Officer, out of 5 charges framed against Sri P.Prasanth Kumar, GSTO, O/o AC (ST), Anakapalli Circle Visakhapatnam-II Division three charges are held not proved and two charges are held proved. Government have examined the Inquiry report and accepted the findings of the Inquiry Officer and the inquiry report was communicated to the Charged Officer, under Rule 21(2) of APCS (CC&A) Rules, 1991, vide reference 11th read above and directed to submit his written representation if any on the findings of Inquiry Officer within stipulated period as specified. Ample time has been granted by the Government for submitting his explanation. In the reference 12th read above, the Charged Officer has submitted his written representation denying the findings of the Inquiry Officer against the article of charges and submitted that he never called any Assist Commissioner for money for senior officers visits he become a victim for false allegations and requested the Government to drop charges framed against him in the matter.

4. Government have examined the report of Inquiry Officer and explanation submitted by the Charged Officer with reference to the record of material available and observed that the CO contended that CO has been continued in the O/o JC only on the instructions of JC is not correct. He should have demanded the Joint Commissioner an order in writing to continue in the same office. But he chooses to work in the same office, in the all important special circle wing, without any authority only to implement his agenda of collections. This is proved by the depositions of the Officers that he demanded money towards the expenditure of the visit of the senior officers of the department to Visakhapatnam. Further, there are written statements by certain office heads that the charged officer resorted to calling them and requesting to contribute to the expenditure of the visit of the senior Officers of the department to the Visakhapatnam. Hence the charge IV & V are proved.

5. Government after careful examination of the entire matter, have decided to impose a penalty of stoppage of Four (4) annual grade increments with cumulative effect on Sri P. Prasanth Kumar, GSTO, O/o.AC (ST), Anakapalli Circle, Visakhapatnam-II Division, as the Charges- IV &V are held proved against him.

6. Accordingly, Government hereby impose a penalty of stoppage of Four (4) annual grade increments with cumulative effect on Sri P.Prasanth Kumar, GSTO, O/o AC (ST), Anakapalli Circle, Visakhapatnam-II Division.

7. The Chief Commissioner of State Tax, AP. Kunchanapalli, Guntur district shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individual concerned (through the Chief Commissioner of State Tax, Kunchanapalli, A.P., Guntur district)
The Chief Commissioner of State Tax, Kunchanapalli, A.P., Guntur district
The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Amaravati
SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER